

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

ALI RAZAQI,  
Plaintiff,  
v.  
ANDREW SAUL, Commissary  
Security,  
Defendant

CASE NUMBER: 1:20-cv-1705-GSA

**ORDER TO SHOW CAUSE WHY  
THIS CASE SHOULD NOT BE  
DISMISSED FOR FAILURE TO  
PROSECUTE**

ANDREW SAUL, Commissioner of Social Security,

**Defendant.**

Pursuant to the scheduling order (Doc. 5), within 20 days thereof Plaintiff was directed to serve on the defendant the summons, complaint, the notice and form of consent to proceed before a magistrate judge (Doc. 5-2), a copy of the scheduling order (Doc. 5), and to file return of service with this Court. Plaintiff was also directed to complete and file the consent/decline form (Doc. 5-2) by March 8, 2021.

On April 12, 2021, the Court entered an order advising Plaintiff that the above deadlines were in effect notwithstanding the entry of the stay, and instructed Plaintiff to file and serve the above documents within 20 days. Doc. 7. Plaintiff did not do so.

Pursuant to Local Rule 110, “failure of counsel or of a party to comply ... with any order of the Court may be grounds for imposition by the Court of any and all sanctions ... within the inherent power of the Court.” This Court has the inherent power to manage its docket. *Thompson v. Housing Auth.*, 782 F.2d 829, 831 (9th Cir. 1986). A court may dismiss an action based on a party’s failure to prosecute an action, failure to obey a court order, or failure to comply with local rules. See, e.g., *Ghazali v. Moran*, 46 F.3d 52, 53-54 (9th Cir. 1995) (dismissal for noncompliance with local rule); *Henderson v. Duncan*, 779 F.2d 1421, 1424 (9th Cir. 1986) (dismissal for lack of

1 prosecution and failure to comply with local rules).

2 Accordingly, by May 27, 2021 Plaintiff is **DIRECTED** to file a written response as to why  
3 this case should not be dismissed for failure to prosecute. Alternatively, Plaintiff may file and serve  
4 the above referenced documents by May 27, 2021.

5 If no response is filed by May 27, 2021 the Court will enter findings and recommendations  
6 to dismiss this action for failure to prosecute.

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8 IT IS SO ORDERED.

9 Dated: May 12, 2021

10 /s/ Gary S. Austin

11 UNITED STATES MAGISTRATE JUDGE

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